

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Charles Lyons

Write the full name of each plaintiff.

\_\_\_\_ CV \_\_\_\_  
(Include case number if one has been assigned)

-against-

Yehonotan Sade, Vero Capital

Elite Street Capital

**COMPLAINT**

Do you want a jury trial?

☒ Yes ☐ No

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.

**NOTICE**

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

**I. BASIS FOR JURISDICTION**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than \$75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

- ☐ **Federal Question**
- ☒ **Diversity of Citizenship**

**A. If you checked Federal Question**

Which of your federal constitutional or federal statutory rights have been violated?

Breach of contract, exposure to toxic mold

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**B. If you checked Diversity of Citizenship****1. Citizenship of the parties**

Of what State is each party a citizen?

The plaintiff, Charles Lyons, is a citizen of the State of  
(Plaintiff's name)

Georgia

(State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

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If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant, Yehontan Sade, is a citizen of the State of  
(Defendant's name)

New York

or, if not lawfully admitted for permanent residence in the United States, a citizen or  
subject of the foreign state of

If the defendant is a corporation:

The defendant, Vero Capital, is incorporated under the laws of  
the State of New York

and has its principal place of business in the State of New York

or is incorporated under the laws of (foreign state) \_\_\_\_\_

and has its principal place of business in \_\_\_\_\_.

If more than one defendant is named in the complaint, attach additional pages providing  
information for each additional defendant.

## II. PARTIES

### A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional  
pages if needed.

|                               |                              |              |
|-------------------------------|------------------------------|--------------|
| <u>Charles</u>                | <u>J</u>                     | <u>Lyons</u> |
| First Name                    | Middle Initial               | Last Name    |
| <u>3950 June Apple Court</u>  |                              |              |
| Street Address                |                              |              |
| <u>DeKalb County, Decatur</u> | <u>GA</u>                    | <u>30034</u> |
| County, City                  | State                        | Zip Code     |
| <u>470-403-8678</u>           | <u>a481977@gmail.com</u>     |              |
| Telephone Number              | Email Address (if available) |              |

**B. Defendant Information**

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

|              |  |
|--------------|--|
| Defendant 1: | <b>Yehontan Sade</b><br><hr/> <div style="display: flex; justify-content: space-between;"> <span>First Name</span> <span>Last Name</span> </div> <b>CEO</b><br><hr/> Current Job Title (or other identifying information)<br><b>650 5th Avenue 20th Floor</b><br><hr/> Current Work Address (or other address where defendant may be served)<br><div style="display: flex; justify-content: space-between;"> <span><b>New York</b></span> <span><b>NY</b></span> <span><b>10019</b></span> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <span>County, City</span> <span>State</span> <span>Zip Code</span> </div> |
| Defendant 2: | <b>Vero Capital</b><br><hr/> <div style="display: flex; justify-content: space-between;"> <span>First Name</span> <span>Last Name</span> </div><br><hr/> Current Job Title (or other identifying information)<br><b>650 5th Avenue 20th Floor</b><br><hr/> Current Work Address (or other address where defendant may be served)<br><div style="display: flex; justify-content: space-between;"> <span><b>New York</b></span> <span><b>NY</b></span> <span><b>10019</b></span> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <span>County, City</span> <span>State</span> <span>Zip Code</span> </div>             |
| Defendant 3: | <b>Elite Street Capital</b><br><hr/> <div style="display: flex; justify-content: space-between;"> <span>First Name</span> <span>Last Name</span> </div><br><hr/> Current Job Title (or other identifying information)<br><b>650 5th Avenue 20th Floor</b><br><hr/> Current Work Address (or other address where defendant may be served)<br><div style="display: flex; justify-content: space-between;"> <span><b>New York</b></span> <span><b>NY</b></span> <span><b>10019</b></span> </div> <hr/> <div style="display: flex; justify-content: space-between;"> <span>County, City</span> <span>State</span> <span>Zip Code</span> </div>     |

Defendant 4:

First Name

Last Name

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City

State

Zip Code

### III. STATEMENT OF CLAIM

Place(s) of occurrence: 611 Ashley Lakes Dive Peachtree Corners, GA 30092

Date(s) of occurrence: July 2019

#### FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed.

Defendant violated 41 US Code 6503 by breach of contract and USC 1332.

Defendant was under contractual obligation during lease to repair mold infected  
unit caused by the unit above Plaintiff's unit and defendant refused to do so  
materially breaching contract, causing toxic mold exposure and mildew damage  
throughout the whole unit.

## INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received.

## Exposure to toxic mold, property damage, rent damages

#### IV. RELIEF

State briefly what money damages or other relief you want the court to order.


Award of statutory, actual and punitive damages for Plaintiff for toxic mold exposure,  
Breach of contract and failure to disclose of mold at property.

**V. PLAINTIFF'S CERTIFICATION AND WARNINGS**

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

|                               |                              |   |  |
|-------------------------------|------------------------------|---|--|
| <u>10/20/2024</u>             |                              | <u></u> |  |
| Dated                         |                              | Plaintiff's Signature   |  |
| <u>Charles</u>                | <u>J</u>                     | <u>Lyons</u>  |  |
| First Name                    | Middle Initial               | Last Name   |  |
| <u>3950 June Apple Court</u>  |                              |   |  |
| Street Address                |                              |   |  |
| <u>DeKalb County, Decatur</u> | <u>GA</u>                    | <u>30034</u>  |  |
| County, City                  | State                        | Zip Code  |  |
| <u>4704038678</u>             | <u>a481977@gmail.com</u>     |   |  |
| Telephone Number              | Email Address (if available) |   |  |

I have read the Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☒ Yes   ☐ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.